

Application No. 10/581,095
Amendment dated August 2, 2007
Reply to Office Action of May 7, 2007

Docket No.: 3953-001USPCT

AMENDMENTS TO THE DRAWINGS:

Please enter amended Figure 12 as appended hereto.

Application No. 10/581,095
Amendment dated August 2, 2007
Reply to Office Action of May 7, 2007

Docket No.: 3953-001USPCT

REMARKS

The Drawings have been objected to because the amended drawing (Figure 12) is not marked as a replacement sheet. Applicant resubmits herewith Figure 12 of the drawings and respectfully draws the Examiner's attention to the fact that the drawing sheet has been labeled "Replacement Sheet", as was required by the Examiner. The Examiner has raised a requirement to submit a marked-up copy of each Replacement Sheet. Accordingly, Applicant has appended hereto a marked-up copy of Figure 12 as originally filed, labeled "Annotated Sheet", and including annotations indicating the changes made to the above-identified drawing. In particular, in the drawing sheet labeled "Annotated Sheet", bearing thereon Figure 12, as originally filed, so as the changes made thereto may be readily indicated, the encircled portion of Figure 12 has been amended to show that the cable drive shaft 67 falls below the lateral member 12, as is also illustrated in Figure 13 of the drawings. Accordingly, reconsideration of the matter is earnestly requested.

The specification has been objected to because the terms "gunwhale" and "propellor" are misspelled. Applicant has effected revision to the specification so as to replace all instances of the above-identified misspelled terms throughout the disclosure with the correct spellings, i.e. "gunwale" and "propeller". In addition Applicant has effected further minor revisions and refinements to the text of the application, so as to correct spelling errors that were not noted or sought by the Examiner, and which are deemed appropriate to improve form and presentation of the invention herein. It is believed that the above-identified amendments to the specification made by identifying the amended sections and their location as well as replacement sections with markings to show all changes relative to the previous version of the section fully comply with the requirements of 37 C.F.R. 1.121(2). Accordingly, it is believed that the Examiner's objection to the specification has been eliminated by virtue of the above revisions and reconsideration of the matter is kindly requested.

Claims 8 and 11 have been objected to because the terms "gunwhale" and "propeller" are misspelled therein. As the Examiner will note the Applicant has made amendments to the objected claims so as to correct the spelling errors noticed by the

Application No. 10/581,095
Amendment dated August 2, 2007
Reply to Office Action of May 7, 2007

Docket No.: 3953-001USPCT

Examiner. Accordingly, it is believed that the above-identified objection to claims 8 and 11 has been eliminated.

Claims 8 and 12 have been rejected by the Examiner under the authority of 35 U.S.C. 103(a), as being unpatentable over Lewis (US 6,165,030). Applicant notes, with appreciation, the Examiner's indication of allowable subject matter in claims 9-11, 13, and 14, and in order to expedite the prosecution of the subject application has incorporated the limitations of claim 9 into claim 8. Consequently, Applicant has cancelled the subject matter of claim 9 and amended the dependency of claim 10. Applicant submits that claim 8 and all dependent claims now patentably distinguish the subject application over the cited reference. It is further submitted that claim 8 and all dependent claims are not anticipated over the cited reference for at least the same reasons that the subject matter of claim 9 was not anticipated when dependent on claim 8. Thus, it is strongly believed that all of the claims remaining in the subject application are now in condition for allowance.

By the above-identified amendment to the claims it is believed that the rejections under 35 U.S.C. 103(a) have been rendered moot and that extensive discussion of the reference relied upon by the Examiner is unnecessary. In passing, however, it is respectfully submitted that the cited reference, i.e. US 6165030 (Lewis), relied upon by the Examiner is remotely similar to the applicant's invention. It is noted that Lewis (US 6165030) is cited in the International Search Report dated March 23, 2005, which issued in connection with the International Application No. PCT/CA2004/2052, under the category A documents, i.e. documents defining the general state of the art which is not considered to be of particular relevance. Applicant wishes to respectfully draw the Examiner's attention to the Written Opinion of the International Searching Authority dated March 23, 2005 which confirms the Applicant position of patentability herein. In particular, the above-identified Written Opinion clearly states that the portable canoe propulsion system as disclosed and claimed in the subject invention differs from the known pedal driven propulsion system of Lewis (US 6165030) in that the propeller assembly is pivot mounted to allow for raising the propeller into an inoperable position substantially parallel to the gunwales.

Application No. 10/581,095
Amendment dated August 2, 2007
Reply to Office Action of May 7, 2007

Docket No.: 3953-001USPCT

In view of the above amendments and discussion and the limitations of the present claims to the indicated allowable subject matter, it is believe that this application is in condition for allowance and such early action is earnestly and courteously solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit to Deposit Account No. 502910 for any additional fees required under 37 C.F.R. 1.16 or 1.14; particularly, extension of time fees.

Respectfully submitted,

By _____

G. Ronald Bell

Registration No. 19,027

Correspondence:

P.O. Box 2450, Station D

Ottawa, Ontario CANADA

K1P 5W6

Phone: (613) 233-5684

Facsimile: (613) 233-7941

Date: August 2, 2007

Cable drive shaft 67 should be below lateral member 12.

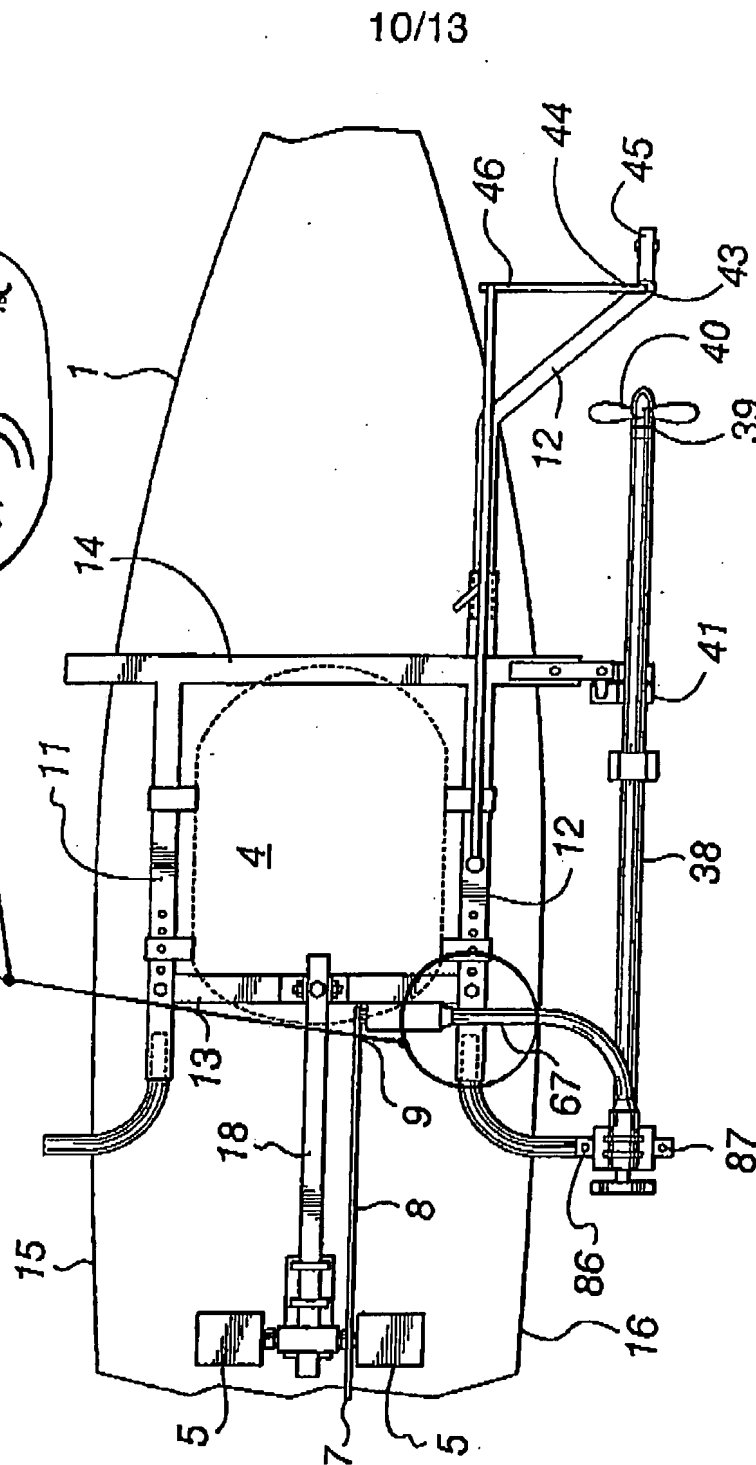


FIG. 12

**Annotated Sheet
US Appln. No. 10/581,095**